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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,518	02/04/2002	Stephen Russell Falcon	MSI-1007US	7196

7590

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LEE & HAYES, PLLC  
421 W. RIVERSIDE AVE., SUITE 500  
SPOKANE, WA 99201

EXAMINER
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ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/067,518	<b>Applicant(s)</b> FALCON ET AL	
	<b>Examiner</b> Angela A. Armstrong	<b>Art Unit</b> 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-40 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: it appears that the claim following numbered claim 31 and proceeding numbered claim 32 is not numbered.

Applicant is requested to amend the claims to provide a claim number for the limitations.

Appropriate correction is required.

### ***Claim Objections***

2. Claims 32-40 are objected to because of the following informalities: the claims are misnumbered as it appears that the claim following numbered claim 31 and preceding numbered claim 32 is not numbered. As such, claims 32-40 are misnumbered and should be renumbered and the dependency accordingly corrected. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 8, 10-17, 19-20, and 24-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (US Patent No. 5,748,974) in view of Kahn (US 2002/0092290).

Johnson discloses a multimodal natural language interface for cross-application tasks.

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4. Regarding claims 1, 8, 15-17, 19-20, 24-25, and 31-33, Johnson discloses a speech-enabled application (Figures 2-5), comprising one or more of the following: a question control configured to provide a question function in the speech-enabled application (col. 5, lines 3-19); an announcer control configured to provide an announcer function in the speech-enabled application (col. 5, lines 3-19); a command control configured to provide a command and control function in the speech-enabled application (Figures 2-5); and wherein each of the one or more controls utilizes a grammar to communicate with a speech system and each of the one or more controls may be utilized in more than one speech-enabled application to provide a standardized speech user interface to the speech-enabled applications (Figure 2; col. 5, line 54 to col. 6, line 40). Johnson does not specifically teach a word trainer control configured to provide a word trainer function in the speech-enabled application. However, providing word training functionality in a speech-enabled application was well known in the art.

Kahn teaches a system that offers transparent training of the speech recognition program to the end-users by creating an enrollment for them (paragraph 0022).

It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Johnson to provide word training to an end-user as suggested by Kahn, for the purpose of improving the recognition accuracy of the speech recognizer.

Regarding claims 2-4, Johnson discloses recognition grammars (col. 4, line 27 to col. 5, line 2).

Regarding claim 5, Johnson discloses the question control is further configured to receive a custom prompt and to play the prompt in a question from the speech system to a user (col. 5, line 54 to col. 6, line 40).

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Regarding claims 10-14, Johnson discloses lists of possible answers to the prompts presented to the user (col. 5, lines 2-19).

Regarding claims 26-30, Johnson discloses grammar table and grammar attributes (63; col. 5, line 61 to col. 6, line 19).

Regarding claims 34-40: claims 34-40 are similar in scope and content to claims 1, 8, 15-17, 19-20, 24-25, and 31-33 and are therefore rejected under similar rationale.

5. Claims 9 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Kahn as applied to claim 1 above, and further in view of Cox (US Patent No. 6,192,339).

6. Regarding claims 9 and 21-23, Johnson and Kahn do not teach the specifics of an interrupting property for interrupting interactions. Cox discloses a mechanism for managing multiple speech applications (col. 5, line 13 to col. 7, line 48) which provides an interrupt manager (204) which handles incoming interrupts so as to provide transitioning/switching to another application as required by the interrupt and application attributes ("always running" applications), such that the transitioning or switching appears seamlessly to the user.

It would have been obvious to one of ordinary skill at the time of the invention to modify the multiple application recognition system of Johnson and Kahn to provide an interrupt manager as suggested by Cox, so as to provide application switching in a manner that minimizes delay and inconvenience to the user, as also suggested by Cox.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Kahn as applied to claim 1 above, and further in view of Wolfe et al (US Patent No. 6,507,817).

8. Regarding claim 18, Johnson and Kahn do not teach the system translates an electronic message to speech. Wolfe discloses a Voice-IP approval system using voice-enabled web based application server, which provides for the storing of messages in text form and the conversion of the messages into an audible format. It would have been obvious to one of ordinary skill at the time of the invention to modify the multiple application recognition system of Johnson and Kahn to provide for translation of messages into an audible format, as suggested by Wolfe, for the purpose of providing speech/audio input and output to the user in a hands-busy eyes-busy environment.

#### ***Allowable Subject Matter***

9. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Jacklin et al (US Patent No. 5,838,969) discloses a system and method for collecting and dispatching selected events in a computer application program.

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Cote et al (US Patent No. 6,125,347) discloses a system for controlling multiple user application programs by spoken input.

Balakrishnan (US Patent No. 6,233,559) discloses a system for speech control of multiple applications using applets.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Angela A Armstrong  
Examiner  
Art Unit 2654

AAA  
October 1, 2005

*Angela Armstrong*